

28. (Amended) The absorbent article of claim 27 wherein said fasteners are hook and loop fasteners.

C₉
(cont)
29. (Amended) The absorbent article of claim 27 wherein said refastenably attaching includes ultrasonically bonding said front panels to said side edges of said absorbent chassis in said front waist region to assist said fasteners in providing said refastenable joints.

30. (New) The absorbent article of claim 9 wherein said absorbent chassis comprises:

- C₁₀
- a) an outer cover;
 - b) a bodyside liner which is connected to said outer cover in a superposed relation; and
 - c) an absorbent core disposed between said outer cover and said bodyside liner.

31. (New) The absorbent article of claim 9 wherein said front and back panels are a neck-bonded laminate material.

Remarks

Claims 1-29 are pending in the instant application. Claims 1-8, 20 and 21 have been canceled. The remaining claims have been amended as suggested by the Examiner to correct identified informalities. Claims 30 and 31 were added and generally correspond to the inventions disclosed in canceled claims 2 and 8 respectively. Support for these amendments appears throughout the specification. The Examiner is thanked for her suggestions in this regard. Claims 9, 15, and 26 have been further amended to recite that the absorbent article of the present invention is a prefastened absorbent article. Support for this amendment appears in the specification at page 6, lines 5-16. Claim 15 has been further amended to recite that the absorbent article includes front and back panels. Support for this amendment appears in the specification at page 14, lines 16-31. Finally, claims 9, 15, and 26 have been amended to recite that the front and back panels on each side edge of the absorbent chassis are permanently connected together along the side seam. Support for this amendment appears in the specification at page 25, lines 10-12. Accordingly claims 9-19 and 22-31 form the subject matter of the response. No new matter is added by these amendments. **A Version Of Claims With Markings To Show Changes Made** is submitted herewith as Appendix A.

As an initial matter, on page 4 of the Office Action dated November 29, 2000, the Examiner requested that a copy of the Assignment filed on December 18, 1998 be provided as it does not appear in the file wrapper. Accordingly, Applicants are including a copy of the

Assignment filed December 18, 1998 and a copy of the Notice of Recordation herewith as Appendix F. The Examiner is thanked for her assistance in this regard.

The trademarks have been amended to include all capitals and delete the symbol as suggested by the Examiner. Applicants assert that such trademarks have a fixed and definite meaning to those skilled in the art. As a result, Applicants respectfully assert that the use of trademarks throughout the specification, as amended, is proper.

A substitute set of Figs. 3 and 4 have also been submitted (Appendix D) to reflect the amendments as suggested by the Examiner. Accordingly, Applicants respectfully assert that the Examiner's objection to the Figures have been obviated.

The Examiner has also objected to the Abstract of the disclosure. In particular, the Examiner asserts that the Abstract was not consistent in scope to the invention as claimed. It is believed that this objection has been obviated in view of the amended Abstract, submitted herewith (Appendix E). No new matter is added. The Abstract as amended is supported by at least the following portions of the specification: Page 6, lines 3-9 and lines 32-34; Page 7, lines 14-16; Page 13, lines 29-32; and Page 14, lines 1-5 and lines 9-18. The Examiner has further objected to the abstract, asserting that the terminology "pant-like" is unclear. Applicants respectfully disagree. In the last sentence of the abstract, the description of the absorbent article as "pant-like" is justified by the recitation that the absorbent article can "function in a similar manner to conventional training pants when in the prefastened configuration." This description clearly describes how the absorbent article of the present invention is "pant-like." Accordingly, Applicants respectfully assert that the Examiner's instant objection is in error.

The Examiner has also objected to the Disclosure because of several informalities. Initially, the Examiner objects to the Summary of the Invention asserting that the Summary of the Invention and the invention as claimed are not consistent in scope. Applicants direct the Examiner's attention to the substitute Summary of the Invention, included herewith (Appendices B & C). The Summary of the Invention has been amended to set forth the invention as recited in each of the independent claims. Applicants respectfully assert that because of these amendments, the substitute Summary of the Invention obviates the Examiner's objection to the Summary of the Invention. In particular, the first paragraph in the Summary, as amended, is substantially identical to independent claim 9. The second paragraph in the Summary, as amended, is substantially identical to independent claim 15. Finally, the third paragraph in the Summary, as amended, is substantially identical to independent claim 26. As a result, the subject matter recited in all of the independent claims is clearly set forth in the Summary. Since the independent claims have the broadest scope, Applicants respectfully assert that it follows that the Summary of the Invention is commensurate in scope and consistent with the subject matter of the claims. Accordingly, the Examiner's objection to the Summary of the Invention has been obviated.

The Disclosure is further objected to because the Examiner believes "the term 'pant-like' used the (sic) throughout the description is unclear, i.e. how like pants?" Applicants respectfully disagree. As discussed above with regard to the abstract, the description of the absorbent article of the present invention as pant-like is justified throughout the Description. For example, Applicants direct the Examiner's attention to page 6, lines 5-9 of the Description. As recited therein, the "absorbent articles of the present invention can function in a similar manner to conventional training pants when left in the prefastened, pant-like configuration..." As such, the pant-like disposable absorbent articles of the present invention are like pants because they are capable of functioning similar to conventional training pants when they are left in the prefastened configuration. Accordingly, Applicants respectfully assert that the Examiner's instant objection is in error.

The Disclosure is further objected to because the Examiner believes that "on pages 21-24, Applicants disclose a number of methods but refer to Figure 4 which only shows one of the methods. The figure and the description should consistently describe one method and indicate the other methods as not shown." Applicants respectfully assert that the Disclosure, as amended, obviates the Examiner's instant objection. The Examiner is thanked for her suggestions in this regard.

The Examiner has also objected to the claims. The claims have been amended as suggested by the Examiner. Therefore, it is believed that all of the Examiner's objections have been obviated in view of the above amendments to the specification and to the claims.

By way of the Office Action mailed November 29, 2000, the Examiner rejected claims 1-29 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The claims in question have either been canceled (claims 1 and 21) or amended (claims 9, 15 and 26) as suggested by the Examiner to clarify that which is claimed and provide proper claim syntax. In regard to the Examiner's belief that the terminology "pant-like" as used in the claims is unclear, Applicants respectfully assert, as discussed above in regard to the use of "pant-like" in the specification and in the abstract, that there is ample support in the specification for describing the absorbent articles of the present invention as "pant-like." Moreover, Applicants have amended the remaining independent claims (claims 9, 15, and 26) to recite that the absorbent articles of the present invention are "prefastened." That is, as recited on page 6, lines 5-9 of the specification, the absorbent articles are configured to be provided and applied like conventional training pants if the wearer or the care-giver so desires. Accordingly, Applicants believe the rejections under §112, second paragraph, have been obviated in view of the amendments to the claims and specification as discussed above, or are in error.

By way of the Office Action mailed November 29, 2000, the Examiner rejected claims 1-8, 15-20 and 23-25 under 35 U.S.C. § 102 (e) as allegedly being anticipated and thus

unpatentable over U.S. Patent No. 6,036,805 issued March 14, 2000 to McNichols (hereinafter "McNichols"). This rejection is respectfully **traversed** to the extent that it may apply to the presently presented claims.

McNichols describes a method of making a prefastened disposable absorbent article. As illustrated in Fig. 3, the absorbent article includes a pair of opposed side panels attached to one of the waist regions. (See Col. 2, lines 32-34). Each of the opposed side panels includes a primary fastener that releasably engages the one waist region. (See Col. 2, lines 40-43). Each of the side panels also defines side portions that extend laterally outward beyond the side edges of the absorbent article in the one waist region. The side portions of the side panels are also secured to the side edges of the absorbent article in the opposite waist region to provide the prefastened absorbent article. (See Col. 2, lines 43-46). In particular, to the best of the Applicants' understanding, the Examiner apparently believes that the Figures, column 13, line 23 and column 16, lines 15-17 of McNichols discloses the absorbent article of the present invention.

Claims 1-8 and 20 have been cancelled. Claims 15-19 and 23-25, as amended, are directed to a pant-like, prefastened, refastenable disposable absorbent article which includes an absorbent chassis and a pair of opposed back panels that are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The absorbent article also includes a pair of opposed front panels that are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panels and the back panels are also permanently connected together along a side seam to define a waist opening and a pair of leg openings providing the pant-like, prefastened, refastenable, disposable absorbent article. The absorbent article also includes a fastener located on each of the front panels that is releasably engaged with the exterior surface of the absorbent chassis and a releasable bond located on each of the front panels that releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region to provide a releasable joint.

In order to be anticipatory, a reference must describe each and every element of a claimed invention. However, McNichols does not disclose the pant-like, prefastened, refastenable disposable absorbent article of the present invention. That is, McNichols fails to disclose a pant-like, prefastened, refastenable disposable absorbent article that includes a pair of opposed back panels that are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. Further, McNichols also does not disclose a pair of opposed front panels that are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article. Moreover, McNichols does not disclose front and back panels being permanently connected together along a side seam to provide the pant-like, prefastened, refastenable, disposable absorbent article of the present

invention. Instead, McNichols describes a prefastened disposable absorbent article with a pair of opposed side panels that each define side portions which extend laterally outward beyond the side edges of the absorbent article. A pair of side panels that define side portions clearly does not disclose a pair of front and back panels permanently connected together along a side seam. For at least these reasons, Applicants respectfully assert claims 15-19 and 23-25 are patentable under 35 U.S.C. §102(e) over McNichols.

In the Office Action mailed November 29, 2000, the Examiner rejects claims 1, 3-4, 15, 17, 20 and 23-25 under the judicially created doctrine of double patenting as being unpatentable over claims 1-25 of U.S. Patent No. 6,036,805. Submitted herewith is a terminal disclaimer limiting the term of any patent that may issue based on the present application to the term of U.S. Patent No. 6,036,805. Applicants respectfully request that the Examiner withdraw the rejection.

By way of the Office Action mailed November 29, 2000, the Examiner rejected claims 1-7, 9-14 and 26-28 under 35 U.S.C. § 102 (b) as allegedly being anticipated and thus unpatentable over U.S. Patent No. 5,242,436 issued September 7, 1993 to Weil et al. (hereinafter "Weil"). This rejection is respectfully **traversed** to the extent that it may apply to the presently presented claims.

Weil describes an absorbent article that has elasticized waistbands with a dual tensioning fastening system. (See Col. 2, lines 35-40). The dual tension fastening system comprises a primary fastening system and a waist closure that anchors a portion of the end edge of the absorbent article. (See Col. 2, lines 47-65). The absorbent article also includes a pair of side panels in each waist region. The absorbent article additionally preferably comprises a pair of elasticized side panels disposed in the second waist region. (See Col. 3, lines 8-11). In particular, to the best of the Applicants' understanding, the Examiner apparently believes that the Figures; column 14, lines 31-56; column 15, lines 59-63; column 23, lines 17-24; column 24, lines 10-19 (and thereby U.S. Patent 4,938,753 to VanGompel et al. (hereinafter "VanGompel")); and column 32, lines 6-12 of Weil disclose the absorbent article of the present invention.

Claims 1-7 have been cancelled. Claims 9-14, and 26-28, as amended, are directed to a pant-like, prefastened, refastenable disposable absorbent article which includes an absorbent chassis and a pair of opposed back panels that are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The absorbent article also includes a pair of opposed front panels that are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panel and the back panel are also permanently connected together along a side seam to define a waist opening and a pair of leg openings providing the pant-like, prefastened, refastenable, disposable absorbent article.

In order to be anticipatory, a reference must describe each and every element of a claimed invention. However, Weil does not disclose the pant-like, prefastened, refastenable disposable absorbent article of the present invention. That is, Weil does not disclose a prefastened absorbent article including front and back panels that are permanently connected together along a side seam. While Weil may disclose an absorbent article with a pair of side panels in each waist region (Column 5, lines 53-55), Weil does not disclose an absorbent article that is prefastened, nor does Weil disclose front and back panels that are connected together along a side seam. In fact, at Column 36, lines 16-39, Weil describes the preferred method of applying the absorbent article disclosed therein to a wearer, stating that the "diaper is preferably applied to a wearer by positioning one of the waist regions, preferably the second waist region, under the wearer's back and drawing the remainder of the diaper between the wearers' legs so that the other waist region, is positioned across the front of the wearer." Accordingly, Weil clearly discloses an absorbent article that employs a conventional means of applying the absorbent article, therefore precluding disclosure of a prefastened absorbent article. While it is noted that the Examiner points out the incorporation of VanGompel into the disclosure of Weil at Column 24 lines 10-19, the incorporation of VanGompel was made in order to disclose that "the elasticized side panels...may comprise a separate elastically extensible material or laminate joined to the diaper." Accordingly the incorporation of VanGompel into Weil does not change the fact that Weil does not disclose a prefastened absorbent article with front and back panels that are connected together along a side seam. For at least these reasons, Applicants respectfully assert that claims 9-14 and 26-28 are patentable under 35 U.S.C. §102(b) over Weil.

New claims 30 and 31 depend from claim 9. Claim 30 further recites that the absorbent chassis comprises an outer cover, a bodyside liner that is connected to the outer cover in a superposed relation, and an absorbent core disposed between the outer cover and the bodyside liner. Claim 31 further recites that the front and back panels are a neck-bonded laminate. For the reasons set forth above, Applicants assert that the references relied upon by the Examiner do not anticipate claims 30 and 31. As such, Applicants respectfully assert that new claims 30 and 31 also are patentable under 35 U.S.C. §102(b) over Weil.

By way of the Office Action mailed November 29, 2000, the Examiner rejected claims 1 and 8, under 35 U.S.C. § 102 (b) as allegedly being anticipated and thus unpatentable over U.S. Patent No. 5,593,401 issued January 14, 1997 to Sosalla et al. This rejection is respectfully **obviated** as claims 1 and 8 have been cancelled.

By way of the Office Action mailed November 29, 2000, the Examiner rejected claims 15-20, and 23 under 35 U.S.C. § 102 (b) as allegedly being anticipated and thus unpatentable over U.K. Patent No. GB 2,288,316B published October 18, 1995 to Larsson (hereinafter

"Larsson"). This rejection is respectfully **traversed** to the extent that it may apply to the presently presented claims.

Larsson discloses an absorbent article in the form of a pants-type diaper. The diaper includes an elongated absorbent body enclosed between two casing sheets, which include side parts. (See Page 1, lines 3-8). The side parts at front and rear end parts of the absorbent body extend laterally beyond the body on both sides thereof, wherein mutually opposing front and rear side parts are joined together by means of a fastener element. (See Page 2, lines 5-9). The fastener element is attached to one of the mutually opposing side parts by a first, strong join and releasably and refastenably fastened to the other side part by means of a second join which is weaker than the first join. (See Page 2, lines 10-13). The second join also includes a first fastening that is destroyed when opening the second join for the first time. (See Page 2, lines 13-15). In particular, to the best of the Applicants' understanding, the Examiner apparently believes that the Figures, abstract, page 2, first full paragraph, page 5 line 29 – page 7, line 10 of Larsson disclose the absorbent article of the present invention.

Claim 20 has been canceled. Claims 15-19, and 23 as amended, are directed to a pant-like, prefasted, refastenable disposable absorbent article which includes an absorbent chassis and a pair of opposed back panels that are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The absorbent article also includes a pair of opposed front panels that are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panel and the back panel are also permanently connected together along a side seam to define a waist opening and a pair of leg openings providing the pant-like, prefasted, refastenable, disposable absorbent article. The absorbent article also includes a fastener located on each of the front panels that is releasably engaged with the exterior surface of the absorbent chassis in the front waist region and a releasable bond located on each of the front panels that releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region.

As an initial matter, because the Examiner directs the Applicants to the abstract of Larsson, and to the best of the Applicants' understanding, there is no abstract in Larsson, the Applicants are confused about the particular portions of Larsson that the Examiner believes discloses the present invention.

Secondly, in order to be anticipatory, a reference must describe each and every element of a claimed invention. However, Larsson does not disclose the pant-like, prefasted, refastenable disposable absorbent article of the present invention. That is, Larsson does not disclose an absorbent article including front and back panels that are permanently connected together along a side seam. Moreover, Larsson does not disclose an absorbent article that includes a fastener located on each of the front panels that is releasably engaged with the

exterior surface of the absorbent chassis. Instead Larsson discloses a diaper that includes an elongated absorbent body enclosed between two casing sheets which include side parts. The side parts at front and rear end parts of the absorbent body are joined together by means of a fastener element (page 2, lines 7-9). The fastener element is attached to one of the mutually opposing side parts by a first, strong join and releasably and refastenably fastened to the other side part by means of a second join which is weaker than the first join. Accordingly, side parts at the front and rear end parts of the absorbent body joined together by a fastener clearly do not disclose a pair of front and back panels permanently connected together along a side seam. For at least these reasons, Applicants respectfully assert that claims 15-19 and 23 are patentable under 35 U.S.C. §102(b) over Larsson.

By way of the Office Action mailed November 29, 2000, the Examiner rejected claims 15, 21-22, 24, 26-27 and 29 under 35 U.S.C. § 102(b) as allegedly being anticipated and thus unpatentable over U.S. Patent No. 5,370,634 issued December 6, 1994 to Ando et al. (hereinafter "Ando"). This rejection is respectfully **traversed** to the extent that it may apply to the presently presented claims.

Ando describes a drawers type disposable diaper. The front and rear waist body portions of the diaper are connected on each side of the diaper by hot melt adhesive or ultrasonic bonding. (See Col. 8, lines 11-14). The waist body portions are connected over only a part of the distance between the waist opening and the leg opening and remain unconnected over the remainder of the distance. The diaper also includes a fastening means on each side of the diaper to fasten together the front and rear waist body portions over some or all of the distance over which the waist bodies are unconnected to tighten the waist portions around the waist of the wearer. In particular, to the best of the Applicants' understanding, the Examiner apparently believes that the Figures; column 3, lines 35-40; and column 7 line 68 – column 8, line 15, disclose the absorbent article of the present invention. The Examiner also appears to believe that reference numeral 15 of Ando discloses side panels, that item "D" discloses a releasable bond, that adhesive on reference numeral 6 discloses a fastener, that reference numeral 6 discloses a front panel and reference numerals A1, A3 or both disclose a back panel.

Claim 21 has been canceled. Claims 15, 22, and 24, as amended, are directed to a pant-like, prefasted, refastenable disposable absorbent article which includes an absorbent chassis and a pair of opposed back panels that are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The absorbent article also includes a pair of opposed front panels that are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panel and the back panel are also permanently connected together along a side seam to define a waist opening and a pair of leg openings providing the pant-like, prefasted, refastenable, disposable absorbent article. The absorbent article also includes a

fastener located on each of the front panels that is releasably engaged with the exterior surface of the absorbent chassis in the front waist region and a releasable bond located on each of the front panels that releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region.

As an initial matter, the Applicants respectfully point out that it is unclear what portion of Ando that the Examiner asserts is a releasable bond as there is no item "D" in Ando. Moreover, there is no A1 or A3. Finally, the Applicants are at a loss as to how reference numeral 6 of Ando can disclose both a fastener and a front panel. Accordingly, Applicants are confused as to what the Examiner is directing the Applicants to with these references.

Secondly, In order to be anticipatory, a reference must describe each and every element of a claimed invention. However, Ando does not disclose the pant-like, prefasted, refastenable disposable absorbent article of the present invention. That is, Ando does not disclose an absorbent article including front and back panels that are permanently connected together along a side seam. Moreover, Ando does not disclose an absorbent article that includes a fastener located on each of the front panels that is releasably engaged with the exterior surface of the absorbent chassis in the front waist region to provide a releasable joint. Instead, at column 8, lines 1-14, Ando discloses an underpants type disposable diaper including side flaps that have connected portions. In particular, the connected portions are bonded together using hot melt adhesives or ultrasonics. At column 3, lines 35-40, Ando discloses that the connected side flaps "can easily be torn in the vertical direction at the connected portions..." As the diaper disclosed in Ando must be torn to separate the connected portions, Ando clearly does not disclose a pant-like refastenable disposable absorbent article with a pair of opposed front panels refastenably attached the absorbent chassis in the front waist region, as recited in the rejected claims, as amended. Thus, Ando fails to describe or suggest the pant-like, prefasted, refastenable, disposable absorbent article of the rejected claims. Instead, contrary to the claimed invention, Ando describes a diaper that includes a preconnected, manually tearable portion, which clearly precludes refastenability. For at least these reasons, Applicants respectfully assert that Ando does not anticipate claims 15, 22 and 24, as amended.

Claims 26, 27 and 29, as amended, are directed to a process of providing a pant-like, prefasted, refastenable disposable absorbent article which includes an absorbent chassis and a pair of opposed back panels that are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The absorbent article also includes a pair of opposed front panels that are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panel and the back panel are also permanently connected together along a

side seam to define a waist opening and a pair of leg openings providing the pant-like, prefastened, refastenable, disposable absorbent article.

As discussed above, Ando does not disclose the pant-like, prefastened, refastenable disposable absorbent articles of claims 26, 27, and 29. That is, Ando fails to disclose an absorbent article that includes a pair of opposed front panels that are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. Instead, Ando, at column 8, lines 1-14 describes a diaper that includes a preconnected, manually tearable portion, which clearly precludes refastenability. For at least these reasons, Applicants respectfully assert that Ando does not anticipate claims 26, 27 and 29, as amended.

Accordingly, Applicants assert claims 15, 22, 24, 26, 27, and 29 are patentable under 35 U.S.C. §102(b) over Ando.

By way of the Office Action mailed November 29, 2000, the Examiner rejected claim 25 under 35 U.S.C. § 103(a) as allegedly being obvious to one of ordinary skill in the art at the time the invention was made and thus unpatentable over Larsson in view of U.S. Patent No. 5,685,873 issued November 11, 1997, to Bruemmer (hereinafter "Bruemmer"). The Examiner acknowledges that Larsson does not disclose a releasable bond defining a peel strength more than 1500 grams. The Examiner believes that this is equivalent to the maximum force allowing opening or unfastening of the bond. The Examiner believes that Bruemmer teaches fasteners having a maximum unfastening force of no more than about 1500 grams so as to permit on (sic) adult to open such fastener but prevent a child from doing so. The Examiner believes, therefore, to employ a releasable bond defining a peel strength of no more than 1500 grams on the Larsson device would lack an inventive step (and) as such would be obvious. This rejection is respectfully **traversed** to the extent that it may apply to the presently presented claims.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP §2143. Larsson describes an absorbent article in the form of a pants-type diaper. The diaper includes an elongated absorbent body enclosed between two casing sheets that include side parts. (See Page 1, lines 3-8). The side parts at front and rear end parts of the absorbent body extend laterally beyond the body on both sides thereof, wherein mutually opposing front and rear side parts are joined together by means of a fastener element. (See Page 2, lines 5-9). The fastener element is attached to one of the mutually opposing side parts by a first, strong join and releasably and refastenably fastened to the other side part by means of a second join which is weaker than the first join. (See Page 2, lines 10-13). The second join

also includes a first fastening that is destroyed when opening the second join for the first time. (See Page 2, lines 13-15).

The Bruemmer patent is directed to a disposable absorbent garment including a pair of differentially stretchable ear members where each differentially stretchable ear member comprises a stretchable inner ear portion and a stretchable outer ear portion. A first fastening mechanism on each ear is releasably fastenable to the front of the article, and second fastenable members on the outermost portions of each stretchable ear are fastenable together at the front of the diaper when worn. In particular, at Column 4, line 55 – Column 5, line 4 Bruemmer teaches a snap fastener or other type of mechanical fastener, the primary purpose of which is to provide a childproof fastening system. Accordingly, Bruemmer teaches that the snap fastener should have a fastening force in the range of about 500 to about 1500 grams force.

The rejected claim depends from claim 15. Claim 15, as amended, is directed to a pant-like, prefastened, refastenable disposable absorbent article which includes an absorbent chassis and a pair of opposed back panels that are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The absorbent article also includes a pair of opposed front panels that are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panel and the back panel are also permanently connected together along a side seam to define a waist opening and a pair of leg openings providing the pant-like, prefastened, refastenable, disposable absorbent article. The absorbent article also includes a fastener located on each of the front panels that is releasably engaged with the exterior surface of the absorbent chassis in the front waist region and a releasable bond located on each of the front panels that releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region. Claim 25 further recites that the releasable bonds define a peel strength of no more than about 1500 grams.

Larsson neither teaches nor suggests the pant-like, prefastened, refastenable disposable absorbent article of claim 25. That is, Larsson does not teach or suggest an absorbent article including front and back panels that are permanently connected together along a side seam. Moreover, Larsson does not teach or suggest an absorbent article that includes a fastener located on each of the front panels that is releasably engaged with the exterior surface of the absorbent chassis. Further, Larsson does not teach or suggest an absorbent article that includes a releasable bond located on each of the front panels that releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region, wherein the releasable bonds define a peel strength of no more than about 1500 grams. Instead, Larsson teaches a diaper that includes an elongated absorbent body enclosed between two casing sheets that include side parts. The side parts at front and rear end parts of the absorbent body

are joined together by means of a fastener element. The fastener element is attached to one of the mutually opposing side parts by a first, strong join and releasably and refastenably fastened to the other side part by means of a second join which is weaker than the first join. In, fact, Larsson, at page 6, lines 9-11 teaches away from the claimed invention by describing that "the front side parts of the pants-type diaper are joined to respective opposing rear side parts 9 and 10 by means of a fastener band 11." Conversely, the absorbent article of the presently rejected claims discloses front and back panels that are permanently connected together along a side seam, and a fastener located on each of the front panels that is releasably engaged with the exterior surface of the absorbent chassis. Moreover, Larsson does not teach or suggest a releasable bond located on each of the front panels that releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region, wherein the releasable bonds define a peel strength of no more than about 1500 grams. Therefore, Applicants respectfully assert that Larsson does not render claim 25 obvious.

Moreover, Bruemmer fails to correct for the deficiencies of Larsson. That is, the combination of Larsson and Bruemmer fails to teach or suggest the pant-like, prefastened, refastenable, disposable absorbent articles as recited in the rejected claims. Bruemmer does not teach a pair of front and back panels that are permanently connected together along a side seam. In addition, Bruemmer does not teach or suggest a fastener located on each of the front panels that is releasably engaged with the exterior surface of the absorbent chassis. Further, Bruemmer does not teach or suggest a releasable bond located on each of the front panels that releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region, wherein the releasable bonds define a peel strength of no more than about 1500 grams. At best, the combination of Larsson and Bruemmer teaches the pants-type diaper of Larsson with the fastener as taught by Bruemmer. Therefore, claim 25 is patentable under 35 U.S.C. § 103 over Larsson in view of Bruemmer.

The Examiner further cites references that were not relied upon but which are considered pertinent to Applicant's disclosure. Applicants have reviewed the cited references and assert that such references fail to teach or suggest the invention recited in the rejected claims. As a result, Applicants respectfully assert that claims 9-19, and 22-31 are patentable over the cited references.

In view of the above amendments and remarks, reexamination, reconsideration and withdrawal of the rejections of claims 9-19 and 22-31 under 35 U.S.C. §§ 102 and 103 are respectfully requested. Moreover, it is respectfully submitted that all of the presently presented claims are in form for allowance and such action is earnestly solicited.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875. The undersigned may be reached at: (920) 721-2433.

Respectfully submitted,

THOMAS H. ROESSLER ET AL.

By: Alyssa A. Dudkowski
Alyssa A. Dudkowski
Registration No.: 40,596
Attorney for Applicants

CERTIFICATE OF MAILING

I, Barbara D. Miller, hereby certify that on May 17, 2002, this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Box NON-FEE AMENDMENT, Assistant Commissioner for Patents, Washington, D.C. 20231.

By: Barbara D. Miller
Barbara D. Miller

APPENDIX A

Version Of Claims With Markings To Show Changes Made

1. (Canceled)
2. (Canceled)
3. (Canceled)
4. (Canceled)
5. (Canceled)
6. (Canceled)
7. (Canceled)
8. (Canceled)

9. (Amended) A pant-like, prefastened, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects said waist regions, a longitudinal direction and a lateral direction, said absorbent article further comprising:

a) an absorbent chassis which defines an exterior surface, an interior surface opposite said exterior surface, a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges; and

b) a pair of opposed back panels which are permanently attached to said side edge of said absorbent chassis in said back waist region of said absorbent article; and

c) a pair of opposed front panels which are refastenably attached to said side edge of said absorbent chassis in said front waist region of said absorbent article to provide a refastenable joint wherein said front panel and said back panel on each side edge of said absorbent chassis are permanently connected together along a side seam to define a waist opening and a pair of leg openings and provide said pant-like, prefastened, refastenable, disposable absorbent article.

12. (Amended) The absorbent article of claim 11 wherein said fasteners are hook and loop [type] fasteners.

maintaining said pant-like, prefastened, refastenable, disposable absorbent article in said prefastened condition.

17. (Amended) The absorbent article of claim 15 wherein said fasteners are hook and loop [type] fasteners.

20. (Canceled)

21. (Canceled)

22. (Amended) The absorbent article of claim [21] 15 wherein each of said side seams defines a lateral outboard edge of said article.

26. (Amended) A pant-like, prefastened, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects said waist regions, an absorbent chassis which defines a pair of opposed side edges and a pair of opposed waist edges, wherein said pant-like, disposable absorbent article is made by a process which comprises:

- a) providing a continuous web of interconnected absorbent chassis;
- b) permanently attaching a pair of laterally opposed back panels to said side edges of each of said absorbent chassis in [one of said front waist region or] said back waist region to provide a permanent joint;
- c) refastenably attaching a pair of laterally opposed front panels to said side edges of each of said absorbent chassis in said [opposite] front waist region of said absorbent article to provide a refastenable joint;
- d) selectively cutting said continuous web of interconnected absorbent chassis into discrete absorbent articles;
- e) folding each of said discrete absorbent articles about a fold line extending in a lateral direction through said crotch region of said article thereby positioning said front panels and said back panels in a facing relationship; and
- f) permanently connecting said front panels and said back panels together along a pair of laterally opposed side seams to define a waist opening and a pair of leg openings and provide said pant-like, prefastened, refastenable, disposable absorbent article.

15. (Amended) A pant-like, prefastened, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects said waist regions, a longitudinal direction and a lateral direction, said absorbent article further comprising:

a) an absorbent chassis which defines an exterior surface, an interior surface opposite said exterior surface, a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges;

[b) a pair of opposed side panels which extend between said side edges of said absorbent chassis in said front waist region and said back waist region of said absorbent article to define a waist opening and a pair of leg openings in said pant-like, refastenable, disposable absorbent article, wherein each of said opposed side panels defines a first side margin which is permanently attached to said side edge of said absorbent chassis in one of said front waist region or said back waist region of said absorbent article to provide a permanent joint and a second side margin which is refastenably attached to said side edge of said absorbent chassis in said other waist region of said absorbent article to provide a refastenable joint;

c) a fastener located on said second side margin of each of said side panels which is releasably engaged with said exterior surface of said absorbent chassis in said other waist region to provide said refastenable joint; and

d) a releasable bond located on each of said second side margins which releasably bonds said second side margins of said side panels to said side edges of said absorbent chassis in said other waist region to assist in maintaining said pant-like, disposable absorbent article in a prefastened condition.]

b) a pair of opposed back panels which are permanently attached to said side edge of said absorbent chassis in said back waist region of said absorbent article;

c) a pair of opposed front panels which are refastenably attached to said side edge of said absorbent chassis in said front waist region of said absorbent article to provide a refastenable joint wherein said front panel and said back panel on each side edge of said absorbent chassis are permanently connected together along a side seam to define a waist opening and a pair of leg openings and provide said pant-like, prefastened, refastenable, disposable absorbent article;

d) a fastener located on each of said front panels which is releasably engaged with said exterior surface of said absorbent chassis in said front waist region to provide said refastenable joint; and

e) a releasable bond located on each of said front panels which releasably bonds said front panels to said side edges of said absorbent chassis in said front waist region to assist in

27. (Amended) The absorbent article of claim 26 wherein said refastenably attaching includes refastenably engaging a fastener located on [side margins of] said front panels to said exterior surface of each of said absorbent chassis in said [other] front-waist region to provide said refastenable joint.

28. (Amended) The absorbent article of claim 27 wherein said fasteners are hook and loop [type] fasteners.

29. (Amended) The absorbent article of claim 27 wherein said refastenably attaching includes ultrasonically bonding said [side margins of said] front panels to said side edges of said absorbent chassis in said [other] front waist region to assist said fasteners in providing said refastenable joints.

30. (New)

31. (New)

APPENDIX B

Clean Version of the Amended Summary of the Invention:Summary of The Invention

Sub
DA

In response to the difficulties and problems discussed above, new pant-like disposable absorbent articles which have an easy opening feature and methods of making the same have been discovered. In one aspect, the present invention concerns a pant-like, prefasted, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects the waist regions, a longitudinal direction and a lateral direction. The absorbent article includes an absorbent chassis, a pair of opposed back panels and a pair of opposed front panels. The absorbent chassis defines an exterior surface, an interior surface opposite the exterior surface, a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges. The opposed back panels are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The opposed front panels are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panel and back panel on each side edge of the absorbent chassis extend laterally outward from the absorbent chassis and are permanently connected together along a side seam to define a waist opening and a pair of leg openings and provide the pant-like, prefasted, refastenable, disposable absorbent article.

C12

In yet another aspect, the present invention concerns a pant-like, prefasted, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects the waist regions, a longitudinal direction and a lateral direction. The absorbent article includes an absorbent chassis which defines an exterior surface, an interior surface opposite the exterior surface, a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges. The absorbent article also includes a pair of opposed back panels which are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The absorbent article also includes a pair of opposed front panels which are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panel and the back panel on each side edge of the absorbent chassis are permanently connected together along a side seam to define a waist opening and a pair of leg openings and provide the pant-like, prefasted, refastenably disposable absorbent article. The absorbent article also includes a fastener located on each of the front panels which are releasably engaged with the exterior surface of the absorbent chassis in the front waist region to provide

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the refastenably joint. The absorbent article finally includes a releasable bond located on each of the front panels which releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region to assist in maintaining the pant-like, prefastened, disposable absorbent article in the prefastened condition.

In yet another aspect, the present invention concerns a pant-like, prefastened, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects the waist regions, an absorbent chassis which defines a pair of opposed side edges and a pair of opposed waist edges. The pant-like, disposable absorbent article is made by a process which includes:

- DR
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(cont.)
- a) providing a continuous web of interconnected absorbent chassis;
 - b) permanently attaching a pair of laterally opposed back panels to the side edges of each of the absorbent chassis in one of the front waist region or the back waist region to provide a permanent joint;
 - c) refastenably attaching a pair of laterally opposed front panels to the side edges of each of the absorbent chassis in the opposite waist region of the absorbent article to provide a refastenable joint;
 - d) selectively cutting the continuous web of interconnected absorbent chassis into discrete absorbent articles;
 - e) folding each of the discrete absorbent articles about a fold line extending in a lateral direction through the crotch region of the article thereby positioning the front panels and the back panels in a facing relationship; and
 - f) permanently connecting the front panels and the back panels together along a pair of laterally opposed side seams to define a waist opening and a pair of leg openings and provide the pant-like, prefastened, refastenable, disposable absorbent article.

The present invention advantageously provides pant-like, refastenable disposable absorbent articles which include an easy opening feature and methods of making the same. In particular, the present invention provides pant-like disposable absorbent articles which are capable of being reliably pulled up or down over the hips of the wearer to assist in the toilet training of the wearer similar to conventional training pants. Moreover, similar to conventional diapers, the pant-like disposable absorbent articles of the present invention can advantageously be applied to and removed from the wearer similar to conventional diapers after they have been soiled with relative ease and cleanliness. Further, the pant-like disposable absorbent articles of the

present invention allow easy inspection by the care giver to assist in determining whether the article is soiled similar to conventional diapers.

APPENDIX C

Version Of Summary of the Invention With Markings To Show Changes Made**Summary of the Invention**

In response to the difficulties and problems discussed above, new pant-like disposable absorbent articles which have an easy opening feature and methods of making the same have been discovered. [In one aspect, the present invention concerns a pant-like, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects the waist regions, a longitudinal direction and a lateral direction. The absorbent article includes an absorbent chassis which defines an exterior surface, an interior surface opposite the exterior surface, a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges. The absorbent article also includes a pair of opposed side panels which extend outward from and between the side edges of the absorbent chassis in the front waist region and back waist region of the absorbent article to define a waist opening and a pair of leg openings in the pant-like disposable absorbent article. Each of the opposed side panels defines a first side margin which is permanently attached to the side edge of the absorbent chassis in one of the front waist region or the back waist region of the absorbent article to provide a permanent joint and a second side margin which is refastenably attached to the side edge of the absorbent chassis in the other waist region of the absorbent article to provide a refastenable joint.]

In [another] one aspect, the present invention concerns a pant-like, prefastened, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects the waist regions, a longitudinal direction and a lateral direction. The absorbent article includes an absorbent chassis, a pair of opposed back panels and a pair of opposed front panels. The absorbent chassis defines an exterior surface, an interior surface opposite the exterior surface, a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges. The opposed back panels are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The opposed front panels are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front panel and back panel on each side edge of the absorbent chassis extend laterally outward from the absorbent chassis and are permanently connected together along a side seam to define a waist opening and a pair of leg openings and provide the pant-like, prefastened, refastenable, disposable absorbent article.

In yet another aspect, the present invention concerns a pant-like, prefastened, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects the waist regions, a longitudinal direction and a lateral direction. The absorbent article includes an absorbent chassis which defines an exterior surface, an interior surface opposite the exterior surface, a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges. The absorbent article also includes a pair of opposed back panels which are permanently attached to the side edge of the absorbent chassis in the back waist region of the absorbent article. The absorbent article also includes a pair of opposed front panels which are refastenably attached to the side edge of the absorbent chassis in the front waist region of the absorbent article to provide a refastenably joint. The front panel and the back panel on each side edge of the absorbent chassis are permanently connected together along a side seam to define a waist opening and a pair of leg openings and provide the pant-like, prefastened, refastenably disposable absorbent article. The absorbent article also includes a fastener located on each of the front panels which are releasably engaged with the exterior surface of the absorbent chassis in the front waist region to provide the refastenably joint. The absorbent article finally includes a releasable bond located on each of the front panels which releasably bonds the front panels to the side edges of the absorbent chassis in the front waist region to assist in maintaining the pant-like, prefastened, disposable absorbent article in the prefastened condition.

In yet another aspect, the present invention concerns a pant-like, prefastened, refastenable, disposable absorbent article which defines a front waist region, a back waist region, a crotch region which extends between and connects the waist regions, an absorbent chassis which defines a pair of opposed side edges and a pair of opposed waist edges. The pant-like, disposable absorbent article is made by a process which includes:

- a) providing a continuous web of interconnected absorbent chassis;
- b) permanently attaching a pair of laterally opposed back panels to the side edges of each of the absorbent chassis in one of the front waist region or the back waist region to provide a permanent joint;
- c) refastenably attaching a pair of laterally opposed front panels to the side edges of each of the absorbent chassis in the opposite waist region of the absorbent article to provide a refastenable joint;
- d) selectively cutting the continuous web of interconnected absorbent chassis into discrete absorbent articles;

e) folding each of the discrete absorbent articles about a fold line extending in a lateral direction through the crotch region of the article thereby positioning the front panels and the back panels in a facing relationship; and

f) permanently connecting the front panels and the back panels together along a pair of laterally opposed side seams to define a waist opening and a pair of leg openings and provide the pant-like, prefastened, refastenable, disposable absorbent article.

The present invention advantageously provides pant-like, refastenable disposable absorbent articles which include an easy opening feature and methods of making the same. In particular, the present invention provides pant-like disposable absorbent articles which are capable of being reliably pulled up or down over the hips of the wearer to assist in the toilet training of the wearer similar to conventional training pants. Moreover, similar to conventional diapers, the pant-like disposable absorbent articles of the present invention can advantageously be applied to and removed from the wearer similar to conventional diapers after they have been soiled with relative ease and cleanliness. Further, the pant-like disposable absorbent articles of the present invention allow easy inspection by the care giver to assist in determining whether the article is soiled similar to conventional diapers.

APPENDIX D

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Fig 3 only
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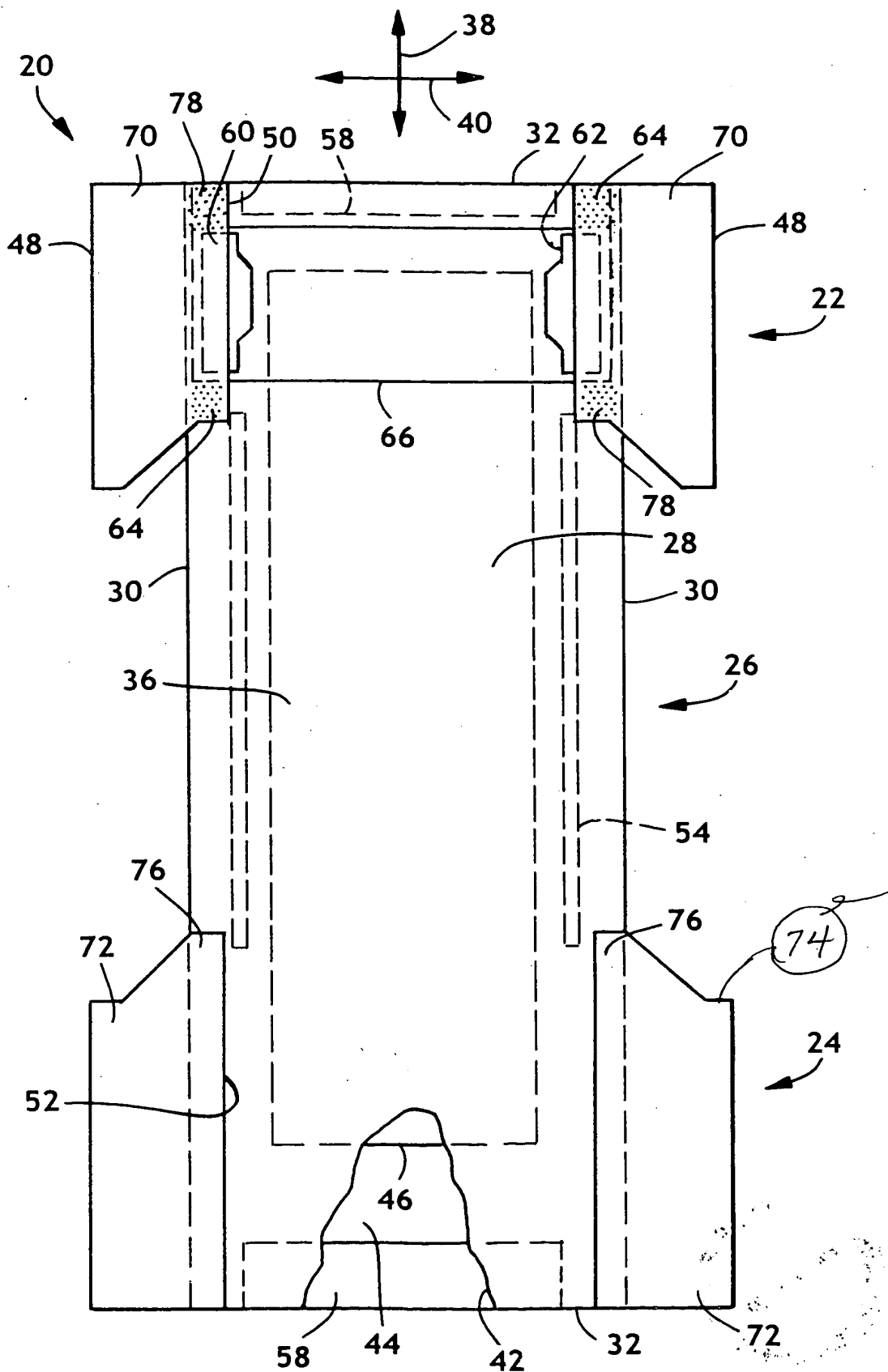


FIG. 3



FIG. 3

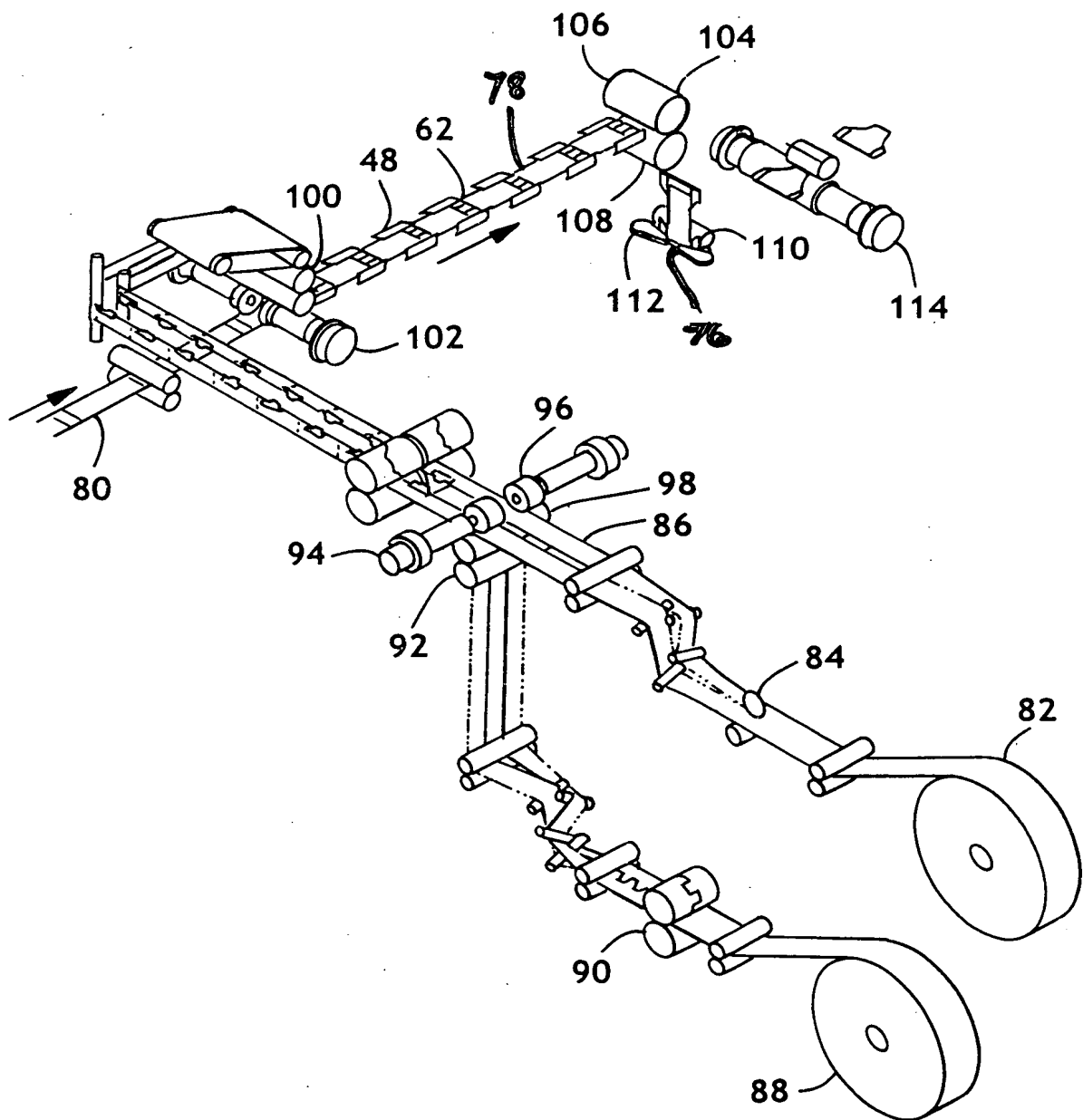


FIG. 4

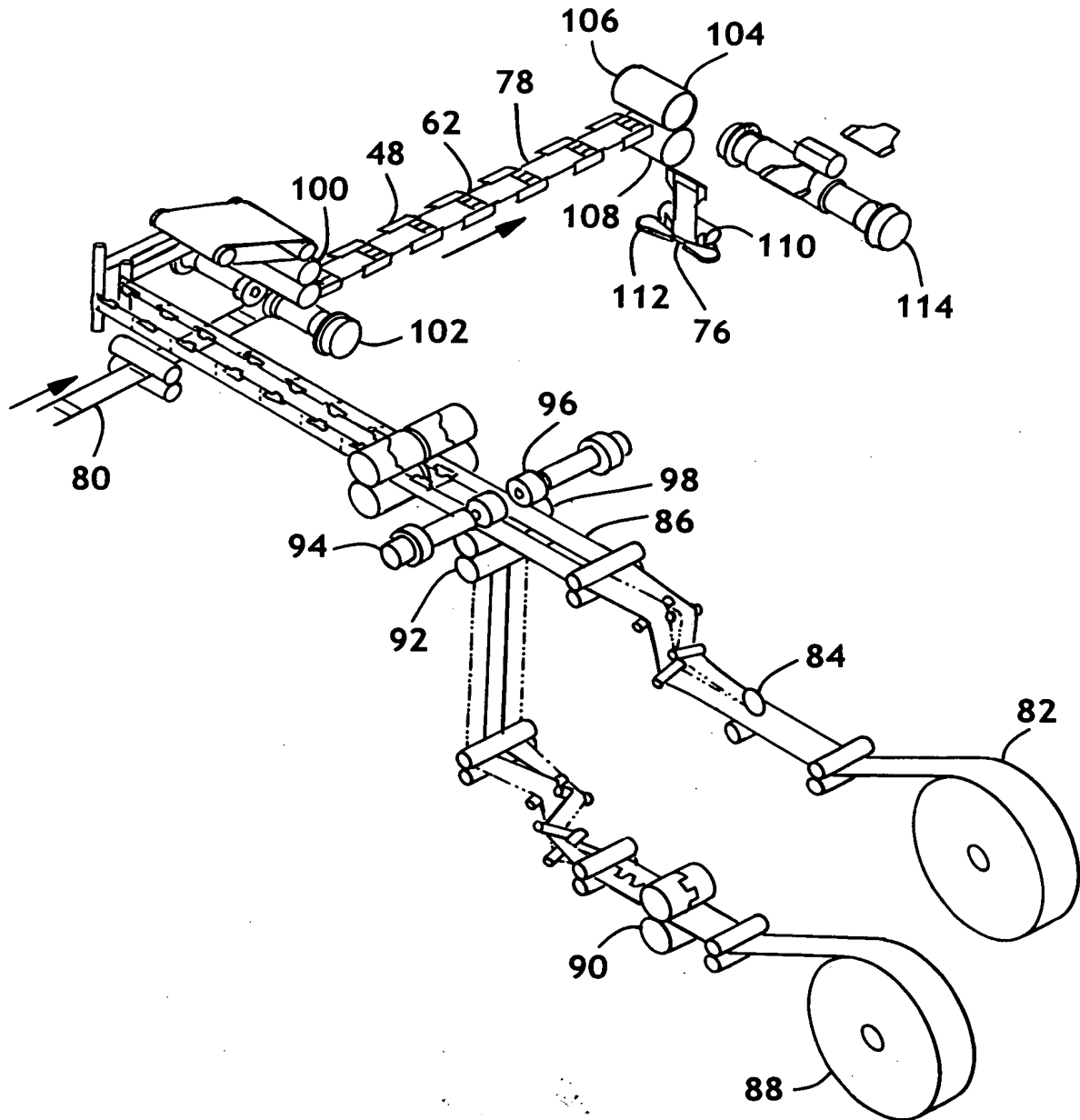


FIG. 4

APPENDIX E

Abstract

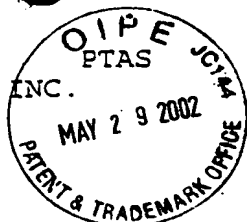
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A prefastened, pant-like, refastenable, disposable absorbent article and methods of making the same is disclosed. The pant-like disposable absorbent article includes an absorbent chassis and a pair of front and back panels. The absorbent chassis defines a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges. The opposed back panels are permanently attached to each of the side edges of the absorbent chassis in the back waist region of the absorbent article to provide a permanent joint. The opposed front panels are refastenably attached to each of the side edges of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front and back side panels are permanently connected together along a side seam to define a waist opening and a pair of leg openings in the pant-like disposable absorbent article. In use, the pant-like, prefastened, refastenable, disposable absorbent article can function in a similar manner to conventional training pants when in the prefastened configuration, or they can be unfastened prior to or during use to function in a refastenable manner similar to conventional diapers.

APPENDIX F

APRIL 06, 1999

KIMBERLY-CLARK WORLDWIDE, INC.
JEFFREY D. CURTIN
401 NORTH LAKE STREET
NEENAH, WISCONSIN 54956



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RECORDATION DATE: 12/18/1998

REEL/FRAME: 9666/0023
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
ROESSLER, THOMAS HAROLD

DOC DATE: 12/18/1998

ASSIGNOR:
SUPRISE, JODY DOROTHY

DOC DATE: 12/18/1998

ASSIGNOR:
VOGT, ROBERT EUGENE

DOC DATE: 12/18/1998

ASSIGNOR:
BLENKE, TIMOTHY JAMES

DOC DATE: 12/18/1998

ASSIGNEE:
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401 NORTH LAKE STREET
NEENAH, WISCONSIN 54956

SERIAL NUMBER: 09216545
PATENT NUMBER:

FILING DATE: 12/18/1998
ISSUE DATE:

SHARON LATIMER, EXAMINER
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Robert Eugene Vogt, Timothy James Blenke

Additional name(s) of conveying party(ies)
attached? ☐ Yes ☒ No

3. Nature of Conveyance

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: December 18, 1998

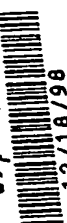
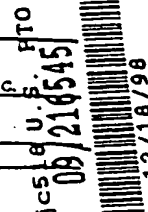
2. Name and address of receiving party(ies):

Name: Kimberly-Clark Worldwide, Inc.

Internal Address: 401 North Lake Street
Neenah, Wisconsin 54956

Street Address: 401 North Lake Street
City Neenah State Wisconsin Zip 54956

Additional name(s) & address(es) attached?
☐ Yes ☒ No



4. Application number(s) or patent number(s): Unknown; New Application entitled: "PANT-LIKE DISPOSABLE ABSORBENT ARTICLES WITH AN EASY OPENING FEATURE"

If this document is being filed together with a new application, the execution date of the application is: December 18, 1998

A. Patent Application No.(s)

8. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: 1

Name: Jeffrey B. Curtin

7. Total fee (37 CFR 3.41) \$ 40.00 E

Internal Address: Kimberly-Clark Worldwide, Inc.
401 North Lake Street
Neenah, Wisconsin 54956

☐ Enclosed

☒ Authorized to be charged to deposit account.

Street Address: 401 North Lake Street
City: Neenah State: Wisconsin Zip: 54956

8. Deposit account number: 11-0875

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December 18, 1998
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Applicants: Thomas H. Roessler et al. Serial No.: Unknown Filed: Herewith For: PANT-LIKE DISPOSABLE ABSORBENT ARTICLES WITH AN EASY OPENING FEATURE Express Mail No.: EE 643 985 723 US

Assignment - Joint Inventors

ASSISTANT COMMISSIONER OF PATENTS
Washington, D.C. 20231

Sir:

WHEREAS Thomas Harold Roessler residing at 1034 Greendale Court, Menasha, WI 54952; and Jody Dorothy Suprise residing at W3151 Archer Court, Pine River, WI 54965; and Robert Eugene Vogt residing at 1121 Gay Drive, Neenah, WI 54956; and Timothy James Blenke residing at 916 Millbrook Drive, Neenah, WI 54956 (hereinafter collectively referred to as Assignors), have made an invention and have each either (1) previously executed an application for Letters Patent of the United States of America therefor or (2) are contemporaneously executing an application for Letters Patent of the United States of America for the invention which is entitled:

PANT-LIKE DISPOSABLE ABSORBENT ARTICLES WITH AN EASY OPENING FEATURE

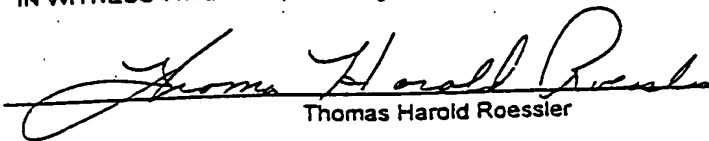
AND WHEREAS Kimberly-Clark Worldwide, Inc., a corporation of the State of Delaware, having offices at 401 North Lake Street, Neenah, Wisconsin 54956, United States of America, (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said invention and under said Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that in consideration of the payment by the Assignee to the Assignors of the sum of One U.S. Dollar (\$1.00 U.S.) and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Assignors hereby sell, assign and transfer to the Assignee the full and exclusive right, title and interest to said invention and in and to any and all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, continuation-in-part, divisional, renewal, substitute, re-examination, conversion or reissue thereof, including all extensions thereof, or any legal equivalent thereof in any foreign country for the full term or terms for which the same may be granted, including any and all convention rights.

The Assignors hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale.

The Assignors further covenant that the Assignors will promptly provide, upon written request, Assignee with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to the Assignors and that they will promptly execute and deliver to Assignee or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue, extend and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, the Assignors have executed this document on the date indicated below:


Thomas Harold Roessler

Date:

December 15, 1998


Jody Dorothy Suprise

Date:

12-15-98

Robert Eugene Vogt
Robert Eugene Vogt

Date:

12/15/98

Timothy James Blenke

Timothy James Blenke

Date:

12/15/98

APPENDIX G

Clean Version of Replacement Paragraphs to Specification:

The paragraph on page 21, beginning at line 9 with change at line 18:

C¹ The methods of the different aspects of the present invention are directed at reliably and consistently providing the pant-like, refastenable disposable absorbent articles described herein such as that representatively illustrated in Figs. 1-3. For example, as representatively illustrated in Fig. 4, the methods can include providing a continuous web of interconnected absorbent chassis 80 moving in the direction indicated by the arrow associated therewith. In such a configuration, the front waist region of the leading chassis may be connected to the back waist region of the trailing chassis to form the continuous web of interconnected absorbent chassis 80. Alternatively, the back waist region of the leading chassis may be connected to the front waist region of the trailing chassis or the chassis may be arranged in a front-to-front/back-to-back relationship (not shown).

The paragraph on page 21, beginning at line 20 with change at lines 25 and 27:

C² The continuous web of interconnected absorbent chassis 80 may be provided by means known to those skilled in the art. For example, a web of interconnected absorbent chassis 80, such as the absorbent chassis 28 illustrated in Fig. 3, may be provided by intermittently placing individual absorbent cores 46 between a continuously moving web of outer cover material and a continuously moving web of bodyside liner material at spaced apart locations (not shown). Additional components, such as the leg elastics 54, containment flaps 56 and waist elastics 58, may also be connected to the continuously moving web of interconnected absorbent chassis 80 (not shown). The different components of the diaper 20 may be connected together by means known to those skilled in the art such as, for example, adhesive, thermal or ultrasonic bonding. Desirably, most of the components are connected using ultrasonic bonding for improved manufacturing efficiency and reduced raw material cost.

The paragraph on page 23 beginning at line 15 with change at line 15:

C3 As representatively illustrated in Fig. 4, the webs of interconnected side panels 86 with the primary fasteners 62 intermittently attached thereto may then pass through a cutter 100 and bonder 102 which cut the respective webs of interconnected side panels 86 into discrete panels and intermittently bond the discrete panels to the side edges of the web of interconnected absorbent chassis 80 at spaced apart locations. As illustrated in Figs. 3 and 4, a portion of each panel is permanently bonded to the side edges of the web of absorbent chassis 80 by bonder 102 to provide the permanent joint 76. In the illustrated embodiments the permanently bonded portions include that portion of the panel which will be located in the back waist region 24 of the diaper 20.

The paragraph on page 24 beginning at line 18 with change at line 20:

C4 The continuous web of interconnected absorbent chassis 80 having the panels attached thereto is then passed through cutter 104 which selectively cuts the web 80 into discrete, individual diapers 20 as representatively illustrated in Fig. 4. Such cutters are generally known to those skilled in the art and may include, for example, the combination of a cutting roll 106 and anvil roll 108 through which the web 80 travels. The anvil roll 108 may include a hardened steel rotating roll while the cutting roll 106 may include one or more flexible hardened steel blades clamped on to another rotating roll. The pinching force between the blade on the cutting roll and the anvil roll creates the cut. The cutting roll 106 may have one or more blades depending upon the desired distance between the cuts.

The paragraph on page 24 beginning at line 28 with change at line 29:

C5 The discrete diapers 20 are then folded in a conventional blade folder 110 about a fold line through the crotch region 26 of the diaper 20 as representatively illustrated in Fig. 4. As such, the waist regions 22 and 24 of each diaper are positioned in a facing relationship with the edges of the panels in each waist region extending laterally outward beyond the side edges 30 of the absorbent chassis 28 as illustrated in Figs. 3 and 4. The fold line extends in a lateral direction through the crotch region 26 of the diaper 20. Desirably, each diaper 20 is consistently folded about fold line such that the waist edges 32 of the diaper 20 in the front and back waist region 22 and 24 align with each other.

The paragraph on page 26 beginning at line 9 with change at line 16:

Equipment

- C6 7
984
1. Tensile tester capable of obtaining a peak load and equipped with an appropriate load cell. A suitable tensile testing system is a Sintech Tensile Tester, commercially available from MTS Sintech, Research Triangle Park, North Carolina, under the trade designation Instron Model 4201 Tensile Tester with Sintech QAD (Quality Assurance Department) Software.
 2. Software commercially obtained from MTS Sintech under the trade designation SINTECH TESTWORKS software.
 3. Pneumatic-action grips commercially available from Instron Corporation, Canton, Massachusetts, under the trade designation "Instron Model 2712-004."
 4. 1 by 4 inch grip faces, serrated, commercially available from Instron Corporation, Canton, Massachusetts.
 5. Test facility having a temperature of $23 \pm 1^{\circ}\text{C}$, and a relative humidity of 50 ± 2 percent.

The paragraph on page 27 beginning at line 19 with change on line 26:

Equipment

- C7 7
530a
1. Tensile tester capable of obtaining a peak load and equipped with an appropriate load cell. A suitable tensile testing system is a Sintech Tensile Tester, commercially available from MTS Sintech, Research Triangle Park, North Carolina, under the trade designation Instron Model 4201 Tensile Tester with Sintech QAD (Quality Assurance Department) Software.
 2. Software commercially obtained from MTS Sintech under the trade designation SINTECH TESTWORKS software.
 3. Pneumatic-action grips commercially available from Instron Corporation, Canton, Massachusetts, under the trade designation "Instron Model 2712-004."
 4. 1 by 4 inch grip faces, serrated, commercially available from Instron Corporation, Canton, Massachusetts.
 5. Test facility having a temperature of $23 \pm 1^{\circ}\text{C}$, and a relative humidity of 50 ± 2 percent.

APPENDIX H

Version of Amended Abstract with Markings to Show Changes:**Abstract**

A prefastened, pant-like, refastenable, disposable absorbent article and methods of making the same is disclosed. The pant-like disposable absorbent article includes an absorbent chassis and a pair of [opposed side] front and back panels. The absorbent chassis defines a pair of laterally opposed side edges and a pair of longitudinally opposed waist edges. The [side panels extend between] opposed back panels are permanently attached to each of the side edges of the absorbent chassis [to define a waist opening and a pair of leg openings in the pant-like disposable absorbent article. Each of the opposed side panels defines a first side margin which is permanently attached to the side edge of the absorbent chassis] in [a] the back waist region of the absorbent article to provide a permanent joint. [Each of the opposed side panels further defines a second side margin opposite the first side margin which is] The opposed front panels are refastenable attached to each of the side edges of the absorbent chassis in the front waist region of the absorbent article to provide a refastenable joint. The front and back side panels are permanently connected together along a side seam to define a waist opening and a pair of leg openings in the pant-like disposable absorbent article. In use, the pant-like, prefastened, refastenable, disposable absorbent article can function in a similar manner to conventional training pants when in the prefastened configuration, or they can be unfastened prior to or during use to function in a refastenable manner similar to conventional diapers.

Version of Replacement Paragraphs to Specification with Markings to Show Changes:

The paragraph on page 21, beginning at line 9 with change at line 18:

The methods of the different aspects of the present invention are directed at reliably and consistently providing the pant-like, refastenable disposable absorbent articles described herein such as that representatively illustrated in Figs. 1-3. For example, as representatively illustrated in Fig. 4, the methods can include providing a continuous web of interconnected absorbent chassis 80 moving in the direction indicated by the arrow associated therewith. In such a configuration, the front waist region of the leading chassis may be connected to the back waist region of the trailing chassis to form the continuous web of interconnected absorbent chassis 80. Alternatively, the back waist region of the leading chassis may be connected to the front waist region of the trailing chassis or the chassis may be arranged in a front-to-front/back-to-back relationship (not shown).

The paragraph on page 21, beginning at line 20 with change at lines 25 and 27:

The continuous web of interconnected absorbent chassis 80 may be provided by means known to those skilled in the art. For example, a web of interconnected absorbent chassis 80, such as the absorbent chassis 28 illustrated in Fig. 3, may be provided by intermittently placing individual absorbent cores 46 between a continuously moving web of outer cover material and a continuously moving web of bodyside liner material at spaced apart locations (not shown). Additional components, such as the leg elastics 54, containment flaps 56 and waist elastics 58, may also be connected to the continuously moving web of interconnected absorbent chassis 80 (not shown). The different components of the diaper 20 may be connected together by means known to those skilled in the art such as, for example, adhesive, thermal or ultrasonic bonding. Desirably, most of the components are connected using ultrasonic bonding for improved manufacturing efficiency and reduced raw material cost.

The paragraph on page 23 beginning at line 15 with change at line 15:

As representatively illustrated in Fig. 4, the webs of interconnected side panels 86 with the primary fasteners 62 intermittently attached thereto may then pass through a cutter 100 and bonder 102 which cut the respective webs of interconnected side panels 86 into discrete panels and intermittently bond the discrete panels to the side edges of the web of interconnected absorbent chassis 80 at spaced apart locations. As illustrated in Figs. 3 and 4, a portion of each panel is permanently bonded to the side edges of the web of absorbent chassis 80 by bonder 102 to provide the permanent joint 76. In the illustrated embodiments the permanently bonded portions include that portion of the panel which will be located in the back waist region 24 of the diaper 20.

The paragraph on page 24 beginning at line 18 with change at line 20:

The continuous web of interconnected absorbent chassis 80 having the panels attached thereto is then passed through cutter 104 which selectively cuts the web 80 into discrete, individual diapers 20 as representatively illustrated in Fig. 4. Such cutters are generally known to those skilled in the art and may include, for example, the combination of a cutting roll 106 and anvil roll 108 through which the web 80 travels. The anvil roll 108 may include a hardened steel rotating roll while the cutting roll 106 may include one or more flexible hardened steel blades clamped on to another rotating roll. The pinching force between the blade on the cutting roll and the anvil roll creates the cut. The cutting roll 106 may have one or more blades depending upon the desired distance between the cuts.

The paragraph on page 24 beginning at line 28 with change at line 29:

The discrete diapers 20 are then folded in a conventional blade folder 110 about a fold line through the crotch region 26 of the diaper 20 as representatively illustrated in Fig. 4. As such, the waist regions 22 and 24 of each diaper are positioned in a facing relationship with the edges of the panels in each waist region extending laterally outward beyond the side edges 30 of the absorbent chassis 28 as illustrated in Figs. 3 and 4. The fold line extends in a lateral direction through the crotch region 26 of the diaper 20. Desirably, each diaper 20 is consistently folded about fold line such that the waist edges 32 of the diaper 20 in the front and back waist region 22 and 24 align with each other.

The paragraph on page 26 beginning at line 9 with change at line 16:

Equipment

1. Tensile tester capable of obtaining a peak load and equipped with an appropriate load cell. A suitable tensile testing system is a Sintech Tensile Tester, commercially available from MTS Sintech, Research Triangle Park, North Carolina, under the trade designation Instron Model 4201 Tensile Tester with Sintech QAD (Quality Assurance Department) Software.
3. Software commercially obtained from MTS Sintech under the trade designation [Sintech Testworks™] SINTECH TESTWORKS software.
3. Pneumatic-action grips commercially available from Instron Corporation, Canton, Massachusetts, under the trade designation "Instron Model 2712-004."
4. 1 by 4 inch grip faces, serrated, commercially available from Instron Corporation, Canton, Massachusetts.
5. Test facility having a temperature of $23 \pm 1^{\circ}\text{C}$, and a relative humidity of 50 ± 2 percent.

The paragraph on page 27 beginning at line 19 with change on line 26:

Equipment

1. Tensile tester capable of obtaining a peak load and equipped with an appropriate load cell. A suitable tensile testing system is a Sintech Tensile Tester, commercially available from MTS Sintech, Research Triangle Park, North Carolina, under the trade designation Instron Model 4201 Tensile Tester with Sintech QAD (Quality Assurance Department) Software.
2. Software commercially obtained from MTS Sintech under the trade designation [Sintech Testworks™] SINTECH TESTWORKS software.
3. Pneumatic-action grips commercially available from Instron Corporation, Canton, Massachusetts, under the trade designation "Instron Model 2712-004."
4. 1 by 4 inch grip faces, serrated, commercially available from Instron Corporation, Canton, Massachusetts.
6. Test facility having a temperature of $23 \pm 1^{\circ}\text{C}$, and a relative humidity of 50 ± 2 percent.